
IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH

KELTON JONATHON SORENSON,

Plaintiff,

v.

UNITED STATES OF AMERICA, et al.,

Defendants.

**MEMORANDUM DECISION AND
ORDER ADOPTING & AFFIRMING
REPORT & RECOMMENDATION**

Case No. 2:20-CV-335-DAK-DAO

Judge Dale A. Kimball

Magistrate Judge Daphne A. Oberg

This case was assigned to United States District Court Judge Dale A. Kimball, who then referred it to United States Magistrate Judge Daphne A. Oberg under 28 U.S.C. § 636(b)(1)(B). On January 20, 2021, Magistrate Judge Oberg issued an Order to Show Cause why the United States District Court for the District of Utah should not enter an order placing restrictions on Plaintiff's filings in this court. Plaintiff responded to the Order to Show Cause on January 28, 2021. After considering Plaintiff's response, Magistrate Judge Oberg issued a Report and Recommendation on February 4, 2021, recommending that this court enter an order placing Kelton Sorenson on the Restricted Filer List. The Report and Recommendation notified Plaintiff that any objection to the Report and Recommendation was required to be filed within fourteen days of receiving it. Plaintiff did not file an objection.

A Magistrate Judge's Report and Recommendation is subject to *de novo* review by this court. *See* 28 U.S.C. § 636(b)(1)(B); *see also* Fed. R. Civ. P. 72(b). The court has reviewed *de*

novo the facts surrounding the Order to Show Cause, including the court's docket in Plaintiff's numerous cases, the substance of those actions, Plaintiff's voluminous submissions to the court, and the court's rulings in those cases. On February 2, 2021, this court dismissed three of Plaintiff's cases with prejudice.

The court fully agrees with the analysis in Magistrate Judge Oberg's Report and Recommendation. The court adopts the Report and Recommendation as the Order of the court. Therefore, this court orders the Clerk of Court for this District to place Plaintiff Kelton Sorenson on the court's Restricted Filer List. Prior to filing any new action in this District, Mr. Sorenson shall:

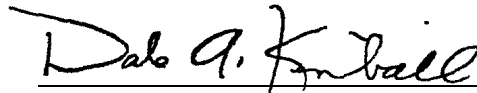
- (1) file a petition with the Clerk of Court requesting leave to file a pro se action;
- (2) include in the petition a list of all of his current or previously filed lawsuits;
- (3) include in the petition a notarized affidavit from Mr. Sorenson reciting the issues he seeks to present, providing a short discussion of the legal basis for the claims, and including an assertion that, to the best of Mr. Sorenson's knowledge, the legal arguments raised are not frivolous or brought in bad faith;
- (4) request that the Clerk of Court send the referenced materials to a magistrate judge for review to determine whether the complaint is without merit, duplicative, or frivolous;

Upon receiving Mr. Sorenson's proposed complaint, petition, and affidavit, a magistrate judge will determine whether the complaint is without merit, duplicative, or frivolous, and forward the complaint to the Chief District Court Judge for further review. Plaintiff may be authorized to file a new complaint only with the review and consent of the Chief District Court Judge.

Because this ruling resolves all remaining issues in the above-captioned case, this action is closed.

DATED this 11th day of March, 2021.

BY THE COURT:

A handwritten signature in black ink, reading "Dale A. Kimball", written over a horizontal line.

DALE A. KIMBALL

United States District Judge